

CLOSED

**United States District Court
District of Massachusetts (Boston)
CRIMINAL DOCKET FOR CASE #: 1:20-mj-06126-MPK All Defendants**

Case title: USA v. Torres

Date Filed: 02/14/2020

Other court case number: 20-10059 District of New Jersey

Date Terminated: 02/18/2020

Assigned to: Magistrate Judge M.

Page Kelley

Defendant (1)

Jose Torres

TERMINATED: 02/18/2020

represented by **Joseph B. Simons**
Simons Law Office
One International Place
Suite 1400
Boston, MA 02110
617-292-6260
Fax: 617-275-0934
Email: joe@jbsimonslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

**Highest Offense Level
(Terminated)**

None

Complaints

Disposition

18:2422(a)(Coercion and
Enticement)

Plaintiff

USA

represented by **K. Nathaniel Yeager**
US Attorney's Office – MA
J. Joseph Moakley U.S. Courthouse
1 Courthouse Way
Suite 9200
Boston, MA 02210
617-748-3311
Email: nathaniel.yeager@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Page	Docket Text
02/14/2020			Arrest (Rule 5) of Jose Torres. (Defendant lodged) (Belmont, Kellyann) (Entered: 02/18/2020)
02/18/2020	1	4	ELECTRONIC NOTICE of Case Assignment as to Jose Torres; Magistrate Judge M. Page Kelley assigned to case. (Finn, Mary) (Entered: 02/18/2020)
02/18/2020	2	5	NOTICE OF ATTORNEY APPEARANCE: Joseph B. Simons appearing for Jose Torres. Type of Appearance: Retained. (Simons, Joseph) (Entered: 02/18/2020)
02/18/2020	3		ELECTRONIC NOTICE OF HEARING for Initial Appearance as to Jose Torres. Initial Appearance – Rule 5 set for 2/18/2020 03:30 PM in Courtroom 24 before Magistrate Judge M. Page Kelley. (Belmont, Kellyann) (Entered: 02/18/2020)
02/18/2020	4	6	RULE 5 AFFIDAVIT by USA as to Jose Torres by Affiant Michael Scimeca (Attachments: # <u>1</u> Copy of warrant) (Belmont, Kellyann) (Entered: 02/19/2020)
02/18/2020	5		Electronic Clerk's Notes for proceedings held before Magistrate Judge M. Page Kelley: Initial Appearance in Rule 5(c)(3) Proceedings as to Jose Torres held on 2/18/2020. Court goes over the proceedings and advises the defendant of his rights. Court has colloquy with defendant about whether or not he understands his rights and the pending charges out of the District of New Jersey. Government states charges and moves for detention. Court takes recess. Court back on record. Court advises the defendant of his rights under Rule 20 and his rights to an identity hearing, production of warrant, preliminary and detention hearing in this district. Defendant waives the hearings in this district and wishes to have them in New Jersey. Court has colloquy and finds the waivers of the hearings in this district knowing and voluntary. Order of remand to New Jersey to issue. Defendant remanded to custody of USMS. (Attorneys present: Nathaniel Yeager for the government and Joseph Simons for the defendant. Taia Thompson for probation.)Court Reporter Name and Contact or digital recording information: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov. (Belmont, Kellyann) (Entered: 02/19/2020)
02/18/2020	6	8	WAIVER of Rule 5 and 5.1 Hearings by Jose Torres (Belmont, Kellyann) (Entered: 02/19/2020)

02/18/2020	<u>7</u>	9	Magistrate Judge M. Page Kelley: ORDER entered. ORDER OF REMOVAL to District of New Jersey as to Jose Torres. (Forwarded to USMS) (Belmont, Kellyann) (Entered: 02/19/2020)
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MIME-Version:1.0
From:ECFnotice@mad.uscourts.gov
To:CourtCopy@localhost.localdomain
Bcc:
--Case Participants: Joseph B. Simons (joe@jbsimonslaw.com), K. Nathaniel Yeager (nathaniel.yeager@usdoj.gov, usama.ecf@usdoj.gov), Magistrate Judge M. Page Kelley (erika_page@mad.uscourts.gov, honorable_page_kelley@mad.uscourts.gov, kellyann_moore@mad.uscourts.gov, patricia_macdougall@mad.uscourts.gov)
--Non Case Participants: ad hoc (kellyann_belmont@mad.uscourts.gov)
--No Notice Sent:

Message-Id:8670774@mad.uscourts.gov
Subject:Activity in Case 1:20-mj-06126-MPK USA v. Torres Case Assigned/Reassigned
Content-Type: text/html

United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was entered on 2/18/2020 at 9:12 AM EST and filed on 2/18/2020

Case Name: USA v. Torres
Case Number: 1:20-mj-06126-MPK
Filer:
Document Number: 1(No document attached)
Docket Text:
ELECTRONIC NOTICE of Case Assignment as to Jose Torres; Magistrate Judge M. Page Kelley assigned to case. (Finn, Mary)

1:20-mj-06126-MPK-1 Notice has been electronically mailed to:

K. Nathaniel Yeager nathaniel.yeager@usdoj.gov, USAMA.ECF@usdoj.gov

1:20-mj-06126-MPK-1 Notice will not be electronically mailed to:

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff)
V.) CRIMINAL NO. 1:20-mj-06126-MPK
JOSE TORRES,)
Defendant)

)

APPEARANCE OF COUNSEL

Please enter my appearance as counsel for Jose Torres, the defendant in the above-entitled action.

Respectfully Submitted
For the Defendant,
JOSE TORRES,



Joseph B. Simons, Esq.
Simons Law Office
1 International Place, Suite 1400
Boston, MA 02110
(617) 544-9000
MA BBO #684030

Dated: February 18, 2020

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on February 18, 2020.



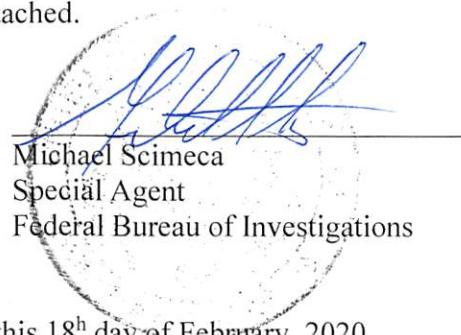
Joseph B. Simons

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.) No. 20-MJ-6126-MPK
)
JOSE TORRES)
Defendant)

AFFIDAVIT OF OUTSTANDING ARREST WARRANT
PURSUANT TO FED. R. CRIM. P. 5(c)(3)

I, Michael Scimeca, Special Agent, Federal Bureau of Investigation, do hereby make oath before the Honorable M. Page Kelley, United States Magistrate Judge for the District of Massachusetts, that upon knowledge coming to me in connection with my official duties and as part of the official records of my office, I am advised that there is presently outstanding a warrant of arrest for one JOSE TORRES, issued by the United States District Court for the District of New Jersey on or about February 13, 2020, for two counts alleging Coercion and Enticement, in violation of Title 18, United States Code, Section 2422(a). I do hereby make oath that this warrant of arrest is outstanding in said District on the basis of the information set out above and in the warrant. A copy of said warrant is attached.



Michael Scimeca
Special Agent
Federal Bureau of Investigations

Subscribed and sworn to before me this 18th day of February, 2020.



The Honorable M. Page Kelley
United States Magistrate Judge

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America

Y₁

JOSE TORRES

Case No. 20-10059

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Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Jose Torres,
who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

Title 18, United States Code, Section 2422(a) (Coercion and Enticement)

Date: 02/13/2020

Issuing officer's signature

City and state: Essex County, New Jersey

Hon. Michael A. Hammer

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date:

Arresting officer's signature

Printed name and title

UNITED STATES DISTRICT COURT
for the
District of Massachusetts

United States of America)	
v.)	Case No. 20-mj-6126-MPK
)	
Jose Torres)	Charging District's Case No. 20-10059
<i>Defendant</i>)	

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the (*name of other court*) _____ District of New Jersey _____

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

an identity hearing and production of the warrant.
 a preliminary hearing.
 a detention hearing.
 an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: _____

2/18/2020

Oren J. Torres 2/18/2020

Defendant's signature

J. T. Simons

Signature of defendant's attorney

Joseph T. Simons

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT
for the
District of Massachusetts

United States of America)	
v.)	
)	Case No. 20-mj-6126-MPK
)	
<u>Jose Torres</u>)	Charging District's
<i>Defendant</i>)	Case No. 20-10059

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the _____ District of New Jersey ,
(if applicable) _____ division. The defendant may need an interpreter for this language:

The defendant: will retain an attorney.

is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: 2/18/2020

